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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,680	06/29/2001	Brad A. Armstrong	29	8703

7590

01/20/2004

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EXAMINER

ENATSKY, AARON L

ART UNIT PAPER NUMBER

3713

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DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/896,680

Applicant(s)

ARMSTRONG, BRAD A.

Examiner

Aaron L Enatsky

Art Unit

3713

All participants (applicant, applicant's representative, PTO personnel):

(1) Aaron L Enatsky.

(3) Mike O'Neill.

(2) Teresa Walberg.

(4) Brad Armstrong.

Date of Interview: 14 January 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: JP Pub. No. 5-87760 to Furukawa.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

Teresa Walberg
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discussed issues relating to the Withdrawal of Allowance and the use of Furukawa. Regarding the Withdrawal of Allowance, Applicant believes that the statement by the Examiner "Newly discovered references make the claims unpatentable" was a mistake. Applicant believes, because of this statement, the withdrawal from allowance was in error and should be withdrawn. Examiner acknowledges that the art used in the rejection was in fact already of record and the statement of newly discovered references was in error. Examiner indicated that a correction to the statement would be made in the next office action. The status of the withdrawal is that prior art not previously applied in a rejection was in fact properly used in a rejection on 07/31/03 and claims remain rejected.

Applicant also discussed issues relating to Furukawa. Applicant clarified the contents of claim 1 and detailed various aspects of Furukawa. Applicant believes that Furukawa does not teach that pressure sensitive buttons are not taught on the right hand side of the controller. Applicant also directed Examiner's attention to various points in Furukawa in attempts to show that feature to be missing in the reference. Examiner explained to Applicant that a definitive answer could not be given at the moment, and that further review of the standing art is needed. Examiner asked Applicant to provide written correspondence detailing Applicant's position so that a proper answer can be supplied. .